

United States District Court
For the Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

On July 27, 2012, Defendant Apple (“Defendant”) filed a Motion to Dismiss (1) Plaintiffs Gupta, Freeman, M. Burke, and W. Burke, and (2) Claims of Putative Geolocation Class from Plaintiffs’ Second Amended Complaint. *See* ECF No. 76. Defendant noticed the motion to dismiss for September 6, 2012, without first obtaining that date from Courtroom Deputy Martha Parker-Brown. The Court will continue Defendant’s motion to dismiss to the Court’s next available hearing date, which is November 15, 2012, or to January 10, 2013, the hearing date for Plaintiffs’ motion for class certification. Regardless of whether the parties prefer to have both motions heard together or separately, the parties may stipulate to amended briefing schedules, provided that the replies to both motions are filed no later than three weeks before their respective hearing dates. Accordingly, by August 3, 2012, the parties shall file a stipulation concerning the briefing schedule and hearing dates for both Defendant’s motion to dismiss and Plaintiffs’ anticipated motion for class certification, or if unable to do so, a joint statement containing both

1 Plaintiffs' and Defendant's proposals, which will then be discussed at the August 8, 2012 case
2 management conference.

3 **IT IS SO ORDERED.**

4
5 Dated: August 1, 2012

Lucy H. Koh

6 LUCY H. KOH
7 United States District Judge